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TO RUEHC/SECSTATE WASHDC IMMEDIATE 8877
INFO RUEHBJ/AMEMBASSY BEIJING PRIORITY 6585
RUEHLM/AMEMBASSY COLOMBO PRIORITY 6893
RUEHKA/AMEMBASSY DHAKA PRIORITY 2192
RUEHIL/AMEMBASSY ISLAMABAD PRIORITY 4933
RUEHLO/AMEMBASSY LONDON PRIORITY 6152
RUEHNE/AMEMBASSY NEW DELHI PRIORITY 2553
RUEHSA/AMEMBASSY PRETORIA PRIORITY 0179
RUEHCI/AMCONSUL KOLKATA PRIORITY 4268
RUEHGV/USMISSION GENEVA PRIORITY 2120
RUEKJCS/SECDEF WASHDC PRIORITY
RUCNDT/USMISSION USUN NEW YORK PRIORITY 3268
RHEFDIA/DIA WASHDC PRIORITY
RHMFIISS/CDR USPACOM HONOLULU HI PRIORITY
RUEAIIA/CIA WASHDC PRIORITY
RHEHNSC/NSC WASHDC PRIORITY

C O N F I D E N T I A L SECTION 01 OF 02 KATHMANDU 000820

SENSITIVE
SIPDIS

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TAGS: [PGOV](#) [PINR](#) [KDEM](#) [NP](#)

SUBJECT: NEPAL'S CONSTITUENT ASSEMBLY ELECTS RAM BARAN YADAV COUNTRY'S FIRST PRESIDENT

REF: A. KATHMANDU 813
[1](#)B. KATHMANDU 808

Classified By: Charge d'Affaires a.i. Randy W. Berry. Reasons 1.4 (b/d).

Summary

[¶](#)1. (SBU) On July 21, the Constituent Assembly elected Dr. Ram Baran Yadav, the most senior Madhesi in the Nepali Congress party, to be Nepal's first president. Yadav defeated Ram Raja Prasad Singh, a fellow Madhesi and the candidate of the Communist Party of Nepal - Maoist, by 26 votes in a second round of voting. The Assembly has also elected Paramandanda Jha from the Madhesi People's Rights Forum to the office of vice president. The President and Vice President elects are expected to take their oaths of office on July 22 or 23. Prime Minister Koirala is expected to submit his resignation to Yadav but remain as caretaker prime minister until the formation of a new government.

Ram Baran Yadav Elected President

[¶](#)2. (SBU) On July 21, the Constituent Assembly (CA) elected Dr. Ram Baran Yadav to be Nepal's first president. Yadav, the most senior Madhesi in the Nepali Congress party (NC), defeated Ram Raja Prasad Singh, the candidate of the Communist Party of Nepal - Maoist, 308 to 282 (with four members absent) in a second round of voting. (Note: The first round of voting on July 19 ended inconclusively with no candidate garnering a majority. Yadav received 283 votes to Ram Raja Prasad Singh's 270. End note.) Yadav's election happened after the NC, Communist Party of Nepal - United Marxist Leninist (UML), and Madhesi People's Rights Forum (MPRF) hastily formed a coalition on July 18 to counter the Maoists, who had backed away from previous agreements to support the UML's candidate for president and the MPRF's candidate for vice president. This coalition was able to attract additional support from some of the small parties, including the Rastriya Prajantantra Party, Rastriya Janashakti Party, the Nepal Workers and Peasants Party, and several other small communist parties.

Jha Elected Vice President

¶3. (SBU) Paramananda Jha, the candidate from the Madhesi People's Rights Forum, was the CA's choice to become Nepal's first vice president in the first round of voting on July 19.

Jha received 305 votes; Shanta Shrestha (Maoist), 243; Ashta Laxmi (UML), 4; Man Bahadur Bishwakarma (NC), 2. There were 24 invalid votes. (Note: The NC, UML, and MPRF formed their alliance after the deadline to withdraw candidates. End note.)

Next Step: A New Government

¶4. (SBU) Yadav and Jha are expected to be sworn into office on July 22 or 23. G.P. Koirala should then submit his resignation as Prime Minister to President Yadav. Yadav would invite Maoist chairman Pushpa Kamal Dahal, as leader of the largest party in the CA, to form a government; however, unconfirmed reports suggest that the Maoists will decline to join the new government. Koirala will remain caretaker Prime Minister until the CA elects a new person.

Biographical Information: Yadav

¶5. (SBU) Ram Baran Yadav is a general secretary of the Nepali Congress. He was elected to the CA from Dhanusha district in the central Terai. Yadav previously was elected

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to the Parliament from Dhanusha in 1991 and 1999. He served as a State Minister of Health from 1991 to 1994 and as Minister of Health in 1999 and during a twelve-month period in 2000-01. Yadav was born on February 4, 1948 in Dhanusha.

He earned a medical degree from Chandigarh Medical College in India in 1985. Yadav is married and has two sons and a daughter. His English is good. He is not an Embassy contact.

Biographical Information: Jha

¶6. (SBU) Jha, head of the MPRF's legal department, has served as a judge on the Kathmandu district, zonal, and appellate courts. A controversial ruling he made in a drug case in 2006 as an Acting Justice on the Supreme Court ended his career as a judge. Jha has law degrees from Xavier University in Belgium (LLM) and Tribhuvan University in Kathmandu (LLB), as well as a Master's degree in Hindi. He joined the civil service in 1972 and was appointed Joint Secretary at the Ministry of Justice in 1976. Jha was born on April 20, 1945 in Saptari, Nepal. He is not an Embassy contact.

Comment

¶7. (C) The selection of two Madhesis to become Nepal's first president and vice president is a symbolic victory for the country's marginalized communities. Today's voting should pave the way for Subash Nemwang, speaker of the former Interim Parliament and a "janajati" (indigenous nationality) member from the UML, to be elected Chairman of the CA. This will further demonstrate that the Government of Nepal can draw into its leadership people who are not Brahmins and Chhetris, the elite who historically have held all of the power. The election of the President from the NC, the second-largest party, and the expected election of the CA Chairman from the UML, the third-largest party, corresponds to expectations immediately after the election. The wild card now is what happens to the Maoists. Does the new NC-UML-MPRF coalition attempt to put one of its candidates into the Prime Minister's chair or do those parties defer to the Maoists to form the government as the largest party? The Maoists are currently crying foul after losing a presidential

race they thought they had sewn up. How the Maoists proceed
remains to be seen.

BERRY